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Attorneys for Defendants State of Nevada ex rel the Nevada Department of Corrections, Waylon Brown, Sean French, Kerry Hunter, Jacob Corey, and Derrick Williams

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARTY FURTADO, an individual; MARTY FURTADO, SPECIAL ADMINISTRATOR OF ESTATE OF ANDREW THURGOOD.

Case No. 2:18-cv-00188-APG-BNW

Plaintiffs,

V.

STATE OF NEVADA, ex rel, NEVADA
DEPARTMENT OF CORRECTIONS; ADAM
MICHAEL ISAACSON, an individual;
ANTHONY M. WILLIAMS, an individual;
OFFICER RUBEN R. JIMENEZ, acting in
his individual capacity; OFFICER RICK L.
BROWN, acting in his individual capacity;
DOES 1-20.

STIPULATION TO STAY CASE FOR SETTLEMENT NEGOTIATIONS

Defendants.

Plaintiff Marty Furtado, by and through counsel, Travis N. Barrick, Esq., and Defendants State of Nevada ex rel. the Nevada Department of Corrections, Waylon Brown, Sean French, Kerry Hunter, Jacob Corey, and Derrick Williams (“the NDOC Defendants”) by and through counsel, Aaron D. Ford, Nevada Attorney General, and Jared M. Frost,

1 Senior Deputy Attorney General, hereby agree and stipulate to stay the case for sixty (60)
2 days for settlement negotiations.

3 "The District Court has broad discretion to stay proceedings as an incident to its
4 power to control its own docket." *Clinton v. Jones*, 520 U.S. 681, 706 (1997) (citation
5 omitted).

6 The parties submit there is good cause to stay this matter. On March 26, 2019, the
7 parties filed a Stipulation and Protective Order Governing Sensitive and Confidential
8 Material that was subsequently approved by the Court. ECF No. 60; *see also* ECF No. 61.
9 The protective order facilitated the NDOC Defendants' disclosure of case-related
10 information and materials on March 8, 2019, and April 5, 2019.

11 After reviewing of the disclosures, counsel for Plaintiff and counsel for the NDOC
12 Defendants met on June 7, 2019, to discuss the status of the case. Counsel for Plaintiff
13 indicated that Plaintiff intends to seek leave to file a Third Amended Complaint that would
14 add new parties and claims. Counsel for Plaintiff also communicated a settlement offer to
15 the NDOC Defendants to resolve this case in its entirety.

16 At this juncture all parties desire time to explore the possibility of settlement to
17 determine whether this matter can be resolved without the need for additional litigation.
18 However, the discovery period is currently set to expire on June 27, 2019, and dispositive
19 motions are due July 29, 2019. ECF No. 51 at 4. Therefore, the parties request a sixty (60)
20 day stay of the case to conclude their settlement negotiations and determine whether this
21 matter can be resolved. At the end of the sixty (60) day stay, the Court should direct the

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1 parties to file either a notice of settlement or a joint status report setting forth their
2 positions as to how the case should move forward.

3 DATED this 25th day of June, 2019.

3 DATED this 25th day of June, 2019.

4 GALLIAN WELKER & BECKSTROM, LTD.

4 AARON D. FORD
5 Attorney General

6 By: /s/ Travis N. Barrick
7 TRAVIS N. BARRICK, ESQ.
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9 *Attorneys for Plaintiff*

6 By: /s/ Jared M. Frost
7 JARED M. FROST, ESQ.
8 Nevada Bar No. 11132
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Las Vegas, Nevada 89101
9 *Attorneys for the NDOC Defendants*

10 **ORDER**

11 **SO ORDERED.** This matter is stayed for sixty (60) days from the date of this Order.
12 At the end of the sixty (60) day period, the parties shall file a notice of settlement or a joint
13 status report setting forth the parties' positions as to how this case should move forward.

14 Dated this 26th day of June, 2019.

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16 UNITED STATES MAGISTRATE JUDGE
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